IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH FEBRUARY 2007 / 16TH MAGHA 1928

Bail Appl..No. 587 of 2007()

CRIME NO.227/05 OF MARARIKULAM POLICE STATION.

PETITIONER/ACCUSED

SUJITH.T.K., AGED 26 YEARS,
S/O.KALESAN, PUTHUPARAMBIL HOUSE,
P.O.CHERAI, ERNAKULAM.

BY ADV. SRI.RAJIT

RESPONDENT: STATE

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADDL.DGP SHRI V.K.MOHANAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.587 OF 2007

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DATED THIS THE 5th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the 11th accused in Crime No.227/05 of Mararikulam Police Station registered for offences punishable under sections 115, 120B, 307 and 302 read with section 34 IPC, seeks anticipatory bail.

2. Shri V.K.Mohanan learned Additional Director General of Prosecution submitted that the offence alleged against the petitioner is only the one punishable under section 212 IPC, which is a bailable offence. If so, invocation of section 438 Cr.P.C. is misconceived.

Accordingly, this petition is disposed of without prejudice to the right of the petitioner to move the proper court for regular bail.

V.RAMKUMAR, JUDGE

dsn